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Distinguished Visiting Professor Yash Ghai

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Coping with Ethnic Diversity: The Response of the Law

Course Taught by Professor Yash Ghai

Toronto University School of Law
January 2004

Session I: **The Nature of Ethnicity**

1. Crawford Young 1993 'The Dialectics of Cultural Pluralism: Concept and Reality' [excerpt] in Young (ed) *The Rising Tide of Cultural Pluralism: The Nation State at Bay?* (Madison, Wisconsin: Wisconsin University Press) **1**
2. Clifford Geertz 1996 'Primordial Ties' in John Hutchinson and Anthony D. Smith (eds) *Ethnicity* (Oxford University Press: Oxford) [Original from Geertz ed. 1963 *Old Societies and New States* (New York: Free Press)] **7**
3. Paul Brass 1991 'Ethnic Groups and Ethnic Identity Formation' [excerpt] and 'Elite Groups, Symbol Manipulation and Ethnic Identity' [excerpt] in Brass *Ethnicity and Nationalism—Theory and Comparison* (New Delhi: Sage Publications) **10**

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3. Jeremy Waldron 1995 'Minority Cultures and the Cosmopolitan Alternative' in Kymlicka (ed) *The Rights of Minority Cultures* (Oxford: Oxford University Press) **42**

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4. Human Rights Committee 1994 General Comment 23 on Article 27..... **90**

5. Martin Edelman 1994 'Introduction' [excerpt] and 'The Muslim Courts: A Sense of Collectivity' in Edelman *Courts, Politics and Culture in Israel* (Charlottesville: University Press of Virginia) **92**
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Session V: **The Framework of Rights**

1. Yash Ghai 2000 'Universalism and Relativism: Human Rights as a Framework for Negotiating Interethnic Claims' [excerpts] 21:4 *Cardozo Law Review* **117**
2. Will Kymlicka 1996 'The Good, the Bad and the Intolerable—Minority Group Rights' in *Dissent* Summer 1996 ..... **138**

Session VI: **The Design of the State I**

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2. Yash Ghai 2002 'Constitutional Asymmetries: Communal Representation, Federalism, and Cultural Autonomy' in Andrew Reynolds (ed) *The Architecture of Democracy—Constitutional Design, Conflict Management, and Democracy* (Oxford: Oxford University Press) **151**

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2. Ronald C Slye 1996 'Comment: The Dayton Peace Agreement: Constitutionalism and Ethnicity' 21 *Yale Journal of International Law* **178**
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